

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cv370**

DENNIS NOVOTNY, et al.

Plaintiffs,

vs.

MICHAEL CHAPMAN, et al.,

Defendants.

ORDER

THIS MATTER is before the Court upon the plaintiffs' Motion for Alternate Service (Doc. No. 12).

In the motion, the plaintiffs recite the difficulties encountered in serving the defendant with process. A district court in the Eastern District of Michigan previously directed the United States Marshal's Service in this district to serve the defendant in a related action. (Case No. 2:05cv72158, Doc. No. 3: Order). Upon review of the motion and supporting material, the Court finds the plaintiffs have stated sufficient cause for the Court to order alternative service, pursuant to Fed. R. Civ. P. 4(c)(2).

IT IS, THEREFORE, ORDERED that the United States Marshal's Service shall serve a summons and copy of the complaint upon the defendant, Michael Chapman, whose previous known addresses include P.O. Box 805 and 911, Wingate, North Carolina, 28174; 610 Old Plank Road, Peachland, North Carolina, 28133; (704) 272-7550.

The Clerk is directed to send copies of this Order to counsel for the parties and the United States Marshal's Service.

Signed: November 16, 2005

Robert J. Conrad Jr.

Robert J. Conrad, Jr.
United States District Judge

